

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Marvin Dearing,

Plaintiff(s),

vs.

Fred Denney, et al.,

Defendant(s).

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Case Number: 1:16cv970

Judge Susan J. Dlott

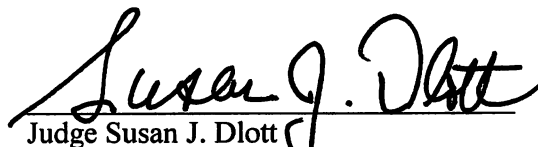
ORDER

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Karen L. Litkovitz filed on October 20, 2016 (Doc. 5) and on October 21, 2016 (Doc. 7), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired November 7, 2016, hereby ADOPTS said Report and Recommendations.

Accordingly, the Report and Recommendation filed October 20, 2016, except for plaintiff's claim under 42 U.S.C. § 1983 against the defendants for their participation in a disciplinary sanctions allegedly imposed in violation of, or in retaliation for plaintiff's exercise of, his First Amendment rights, the complaint is DISMISSED for failure to state a claim upon which relief is granted.

Regarding the Report and Recommendation filed on October 21, 2016 (Doc. 7), the plaintiff's motion to show cause for preliminary injunction and temporary restraining order (Doc. 4) is DENIED.

IT IS SO ORDERED.



Judge Susan J. Dlott
United States District Court